

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO. 3:13cr221-FDW

UNITED STATES OF AMERICA,

Plaintiff,

v.

(1) HERBERT JACKSON,

Defendant.

**ORDER OF FORFEITURE**

THIS MATTER is before the Court on the Government's oral Motion for Money Judgment.

THIS COURT FINDS AS FOLLOWS:

1. The Bill of Indictment (Doc. 1) in this case charged Defendant with, amongst other violations, conspiracy in violation of 18 U.S.C. § 371 to commit theft of government funds in violation of 18 U.S.C. § 641. The Indictment also provided notice that property was subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), and specifically contained a Grand Jury finding that there was probable cause that a forfeiture money judgment of \$126,014.93, representative of the proceeds of the conspiracy, was subject to forfeiture.


2. Defendant pled guilty to conspiracy, in violation of 18 U.S.C. § 371, as set forth in the Indictment. Further, a Factual Basis (Doc. 35) was submitted by the Government. The Factual Basis identified "approximately \$126,000 in SSI payments to which [conspirators] were not entitled." Factual Basis at ¶ 5. Further, the sentencing materials in this case support a finding that the conspiracy generated approximately \$126,000 in payments to which the

conspirators were not entitled.

IT IS THEREFORE ORDERED that, for purposes of Fed. R. Crim. P. 32.2 and 18 U.S.C. 981(a)(1)(C) and 28 U.S.C. § 2461(c), and based on the Indictment and Grand Jury finding of probable cause, plea of guilt, oral Motion for Money Judgment, and record, the Government has established the amount of the Money Judgment and this Order shall constitute a Money Judgment for the following property:

**A forfeiture money judgment in the amount of \$126,014.93, such amount constituting the proceeds of the 18 U.S.C. § 371 conspiracy set forth in the Bill of Indictment to which Defendant pled guilty.**

SO ORDERED this 23<sup>rd</sup> day of September, 2014.

  
FRANK D. WHITNEY  
CHIEF UNITED STATES DISTRICT JUDGE